

## **Bethel Village Council November 22, 2010**

The Council of the Village of Bethel, Ohio, met in regular session in Council Chambers on Monday, November 22, 2010 at 6:30 p.m., with Mayor James T. Dick presiding.

Mr. Cherry delivered the invocation, followed by Mayor Dick leading the Pledge of Allegiance to the American Flag. Upon roll call, the following members were counted as present: Council Members Priscilla Johnson, Janice Ireton, Donna Gunn, Rus Whitley, Tim Cherry, Mary Daugherty; Solicitor George Leicht, Fiscal Officer Angel Burton and Village Administrator Travis Dotson.

Mayor Dick thanked Bethel Building and Loan for sponsoring this year's Council meeting videos.

A motion to approve the minutes from the November 8, 2010 meeting, as written, was made by Ms. Ireton. Second by Mr. Cherry. All ye.

### **COMMUNICATIONS**

Mr. Brett Gaspard, Rumpke's Municipal and Public Sector Representative, spoke before Council. The Village has partnered with Rumpke for years on refuse collection, and was the first community on the East side to have the waste wheeler totes. He knows the Village is interested in bringing recycling to the community. Adams/Clermont County Solid Waste District is mandated by the state to provide recycling bins throughout the county. The program is growing in popularity, as is the expense, which is paid with tax dollars. Together with the County Solid Waste District, Rumpke would like Bethel to consider a one year pilot program of once-a-month curbside recycling, at no expense to the Village. The hope is to reduce the amount of recycling collected in the community bins. Residents with waste totes will be given a recycling bin, though participation is voluntary. The County will cover the recycling expense during the pilot year, and the Village's refuse collection rate will remain the same as it is now. The community drop bins will still be available. The trial will allow Bethel Village the time to determine the level of recycling interest, without locking into a 5 year contract.

If the Village chooses to enroll in the 1 year pilot program, Rumpke is asking that the RFP for garbage collection be canceled.

### **REPORTS**

#### **Mayor James T. Dick**

The Down Home Christmas is December 4, 2010, and the Community's church service is at the Methodist Church this year. He encouraged everyone to get out and about that day.

#### **Village Administrator, Travis Dotson**

The Walk-Path has been repaved. Mr. Dotson thanked the Lion's Club, because without their donation of matching funds, the project would not have happened.

Rack Seven Paving is wrapping up this year's paving projects. The Grant Memorial lot and the Burke Park road have been repaved, and many of the full-depth repairs are completed.

The water tower is back in service, and a large blockage at the town branch has been cleared. During the 2 day dig, 15 tires were removed, as well as a tree.

The Public Works department has been hanging Christmas lights, and the high school art students are painting the municipal building windows for the Down Home Christmas contest.

#### **Fiscal Officer, Angel Burton**

Payment for the Prosource invoice was added to tonight's bills for Council's approval. Ms. Burton forwarded information on the invoice to Council, and there were no further questions.

Council has received a copy of Resolution 895, authorizing a Then and Now purchase order to be used for a Brandstetter Carroll invoice payment. A purchase order was not on the books for the work, and the amount of the invoice exceeds the standard Then and Now amount. The work was budgeted for 2010, and there are appropriated funds available.

**Solicitor George Leicht**

The Attorney General's office has contacted him regarding outstanding findings for recovery.

He and Mr. Dotson are trying to sort out some of the issues at the Easter Valley Subdivision. There are few restrictions in place, and the former zoning administrator sent the developer a letter saying a 40' setback was acceptable. Mr. Leicht does not believe he had the authority to do that, and the Village can enforce its own code. There was a provision for drainage and a retention basin, and the Village was to be granted easements for storm water maintenance

Sidewalks and the acceptance of the streets were mentioned. Sidewalks are poured as houses are built, and the Village does not plow nor maintain the subdivision streets because no final coat has been laid.

**Police Chief Mark Planck**

The Down Home Christmas Parade is at 6:00 p.m.

It was Council's consensus to allow the Chief to bag all the parking meters from Thanksgiving through January 1<sup>st</sup>.

**Finance Committee, Chairperson Donna Gunn**

The committee met last Wednesday, and completed discussions on the 2011 appropriations. The Finance Committee recommends Ordinance 1643 Appropriations for Fiscal Year 2011 for a first reading tonight.

RESOLUTION 895 AUTHORIZING THE VILLAGE FISCAL OFFICER TO CREATE A THEN AND NOW CERTIFICATE TO PAY BRANDSTETTER CARROLL INC. AND DECLARING AN EMERGENCY

A motion to waive the three readings of RES 895 Creating a Then and Now Certification was made by Ms. Gunn. Second by Mr. Whitley. By Roll: Ms. Gunn "yea", Mr. Whitley "yea", Ms. Daugherty "yea", Mr. Cherry "yea", Ms. Johnson "yea", Ms. Ireton "yea". Motion carried.

A motion to adopt RES 895 Creating a Then and Now Certification was made by Ms. Gunn. Second by Mr. Whitley. By Roll: Ms. Gunn "yea", Mr. Whitley "yea", Ms. Daugherty "yea", Mr. Cherry "yea", Ms. Johnson "yea", Ms. Ireton "yea". Motion carried.

A motion to reimburse the police department an amount not to exceed \$200 from the Bethel Events fund for the expense of 2000 color copies for the Down Home Christmas was made by Ms. Gunn. Second by Ms. Ireton. All yea.

The next Finance Committee meeting is Tuesday, December 7, 2010 at 5:00 p.m.

**Public Works Committee, Chairperson Tim Cherry**

The committee met on November 15<sup>th</sup>.

The Village's garbage contract ends 12/31/2010, and Mr. Cherry recommends the Village reject all bids, and go forward with the proposed pilot recycling program, extending the Rumpke contract for one more year. Mr. Leicht stated the Village would be awarding the contract to Rumpke, in essence, and would like more information before the Village proceeds with such a move. Mr. Gaspard will be in contact with Mr. Leicht.

The committee recommends Ordinance 1642 Setting the Fees for the Village's Facilities for first reading tonight. The levy failure prompted the change in fees. Half day rentals have been added to the rental agreement, as well as the scheduling of community events/regular rentals into future years. The rental agreement has been consolidated to cover all available facilities.

**Safety Committee, Chairperson Rus Whitley**

The committee met on November 8<sup>th</sup>. There's a steel plate covering a drain on the east end of 125. The necessary repairs will be made prior to the start of plow season.

**Personnel Committee, Chairperson Mary Daugherty**

Ms. Daugherty has several policies that need to be added to the employee handbook, and she will be forwarding that information to other committee members.

A meeting date has not been set.

**Burke Trust Commission, Janice Ireton**

The park benches have been ordered, and requests for additional interior work at the Grant Memorial Building will be forthcoming.

**Planning Commission, Priscilla Johnson**

Ms. Johnson has spoken with a few people that may be interested in filling the Planning Commission openings. She hopes to hit the ground running in January.

**Rules of Council, Donna Gunn**

The next meeting will be Wednesday, December 1, 2010 at 6:00 p.m.

**CALL OF MEMBERS**

Priscilla Johnson: Wished everyone a good, safe holiday.

Janice Ireton: Echoed Ms. Johnson's sentiments, and wants everyone to enjoy their families. She also mentioned the Historical Society and membership is only \$5 year. She encouraged everyone to join, and considers the group a hidden gem.

Donna Gunn: Is excited about the Down Home Christmas event, and encouraged everyone to participate either as a spectator or a volunteer. She's also excited about the pilot recycling program. She herself has more recyclables than trash, and makes a trip to the community recycling bins about once a week.

Mr. Trestor's son has completed his Eagle Scout project, and 18 tables have been built for the park. Storage space is needed for the tables, because the wood needs to cure over the winter. Mr. Dotson is looking into the matter.

Ms. Gunn also mentioned how costly storm water issues are to resolve. She recommends adding something to zoning permits relating to storm water management.

Rus Whitley: Believes everyone will be pleasantly surprised by the BAMFest float at the Down Home Christmas parade, and encouraged people to volunteer. He also encouraged generosity during the holidays.

Tim Cherry: Continued the wishes for a good holiday, and was reminded his term expires 12/31/2011.

Mary Daugherty: Nil.

**PUBLIC INPUT**

Mr. John Wass addressed Council regarding the issues at his subdivision. He believes lot records are being altered to allow for construction. He encouraged the Mayor and Council to come out with a tape measure and talk to other residents. Mr. Wass does not feel he has any power to yield over the developer, and wants the Village to help.

Mayor Dick stated the Village is complying with Village code, and has no business getting involved in a private, civil matter. It is not the Village's job to enforce subdivision regulations.

Property owners have the right to pursue enforcement of the subdivision regulations through their own lawyers, but not through the Village. The Village does not approve building plans and the Village does not appropriate property. Mr. Leicht empathizes with Mr. Wass, but the matter is outside of the Village's authority.

### **LEGISLATION**

ORDINANCE 1642 SETTING THE FEES FOR THE RENTAL OF THE VILLAGE OF BETHEL FACILITIES AND REPEALING ORDINANCES 1410, 1411, AND 1509, 1<sup>st</sup> reading

ORDINANCE 1643 ANNUAL APPROPRIATION FOR FISCAL YEAR ENDING 12/31/2011, 1<sup>st</sup> reading

ORDINANCE 1644 SETTING RENT FOR THE ELECTRIC AND WATER DEPARTMENTS FOR 2011, 1<sup>st</sup> reading

ORDINANCE 1645 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE WATER OPERATING FUND TO THE WATER MORTGAGE FUND FOR 2011, 1<sup>st</sup> reading

ORDINANCE 1646 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE WATER REVENUE FUND TO THE WATER EXTENSION AND REPLACEMENT FUND FOR 2011, 1<sup>st</sup> reading

ORDINANCE 1647 AUTHORIZING THE FISCAL OFFICER TO TRANSFER MONEY FROM THE ELECTRIC OPERATING FUND TO THE ELECTRIC EXTENSION AND REPLACEMENT FUND FOR 2011, 1<sup>st</sup> reading

### **PAYMENT OF THE BILLS**

A motion to approve the payment of the presented bills and expenses (checks 21758-21790, as well as 21697 to Prosource) was made by Ms. Gunn. Second by Ms. Johnson. All yea.

A motion to adjourn was made by Ms. Ireton. Second by Mr. Whitley. All yea. 8:00 p.m.

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James T. Dick, Mayor

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Angelina Burton, Fiscal Officer